



October 2, 2020

Mr. Michael Barcott  
Mr. Daniel Barcott  
HOLMES WEDDLE & BARCOTT  
3101 Western Ave, Suite 500  
Seattle, WA 98121

Re: Policy Limits Demand  
SCANDIES ROSE  
ER 408 Offer of Compromise  
Decedent Seth Rousseau-Gano  
Decedent David Leigh Cobban  
Decedent Brock Rainey  
Decedent Arthur Ganacias  
Survivor - Jon Lawler  
Survivor - Dean Gribble  
Date of Loss: 31-Dec-2019

***Policy Limits Demand – 10-Day Deadline***

Dear Mike and Daniel:

We jointly write on behalf of all claimants employed as seaman by F/V Scandies Rose owners, Scandies Rose Fishing Co., LLC and/or Mattsen Management LLC.

As you know, David Leigh Cobban, Brock Rainey, Arthur Ganacias and Seth Rousseau-Gano perished with the sinking of SCANDIES ROSE. Two crewmembers, Jon Lawler and Dean Gribble, survived the sinking.

Jon and Dean tell of the terrible ending experienced by their deceased fellow crewmembers. Their suffering was not instant. They all had an appreciation of their fates. You were present when Jon and Dean were interviewed by the Coast Guard. You heard their first-hand accounts of their near-death experiences suffered by them. Jon and Dean had to come to terms with their almost certain immediate deaths.

Collectively, the pain and suffering of the crew, both the decedents and survivors, will exceed the full policy limits which were available prior to any “wasting”. To be clear, we understand that the policy limits have been reduced by some “wasting” of the policy limits, however, it is our position and assessment that prior to any “wasting” the claims exceeded the insurance policy limits available.

On behalf of the five deceased crewmembers and the two surviving claimants, and with their full authority, we request payment of the P&I policy’s available limits. It is also our position that we will be provided with the opportunity to review any “wasting” of the policy limits to determine whether the represented available policy limits are appropriate.

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Furthermore, this demand is conditioned upon (1) there being a least \$9 million remaining on the policies, (2) receipt of a signed declaration as to the amount of available insurance and the amount of costs/expenses incurred. The claimants will agree to release the carrier from any liability beyond the policy limits, including punitive damages, upon payment of said policy limits. All claimants and their counsel authorize payment of the policy limits into the Gerald Markham Attorney trust account. The claimants will thereafter undertake the division of said policy limits among themselves.

Specifically, the claimants and their counsel are as follows:

Attorney Gerald Markham, on behalf of the personal representatives of the estates and wrongful death beneficiaries of the following decedents:

- David Leigh Cobban;
- Brock Rainey; and,
- Arthur Ganacias.

Attorneys Kevin Coluccio and Lee Tucker, on behalf of the personal representative of the estates and wrongful death beneficiaries of the following decedent:

- Seth Rousseau-Gano.

Attorneys Joe Stacey and Nigel Stacey, on behalf of the following claimants:

- Survivor Dean Gribble; and,
- Survivor Jon Lawler.

In anticipation that this offer will be accepted and policy limits will be paid, the claimants will submit the appropriate paperwork for the Alaska Superior Court's minor approval and payment of any share to any minors. This offer is further conditional on the court's approval that settlement within policy limits is in the best interest of any minor child(ren). Mr. Markham will endeavor to secure approval as quickly as possible. Payment to be made to the Gerald Markham trust account within 10 days after written notice approval of Superior court approval of the minor settlement

We are requesting acceptance of this policy limits demand within 10 days of this letter.

Very truly yours,



KEVIN COLUCCIO

cc. Gerald Markham  
Joe Stacey  
Nigel Stacey  
Lee Tucker